

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dinah W. Y. Sah	Art Unit : 1649
Serial No. : 10/669,853	Examiner : Chang Yu Wang
Filed : September 24, 2003	Conf. No. : 4306
Title : TREATMENT USING NEUBLASTIN POLYPEPTIDES	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

I, Dinah W. Y. Sah, declare as follows:

1. I am the sole named inventor on U.S. patent application number 10/669,853 ("the '853 application"). The '853 application claims priority to U.S. provisional application number 60/287,554, filed on March 28, 2001. The currently pending claims of the '853 application relate to methods for treating neuropathic pain by administering a neublastin polypeptide to a subject via systemic delivery.

2. I understand that claims 1, 2, 4, 5, 10-12, 35-37, and 57-70 of the '853 application have been rejected under 35 U.S.C. § 102(e) as anticipated by co-pending U.S. application number 10/356,264 ("the '264 application"; published as U.S. application number 20050142098), which was filed on January 31, 2003 and claims priority to U.S. provisional application number 60/266,071, filed on February 1, 2001.

3. The '264 application names me as well as R. Blake Pepinsky, Paula Ann Boriack-Sjodin, Stephan S. Miller, Anthony Rossomando, Laura Silvian as inventors. In addition, prior U.S. provisional application number 60/266,071 names me as well as R. Blake Pepinsky, Paula Ann Boriack-Sjodin, Stephan S. Miller, and Anthony Rossomando as inventors.

4. The subject matter of claims 1, 2, 4, 5, 10-12, 35-37, and 57-70 of the '853 application was invented solely by me. To the extent that U.S. provisional application number 60/266,071

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discloses but does not claim the subject matter of any of these claims, I declare that such subject matter originated with me.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: July 2, 2007

Signed: Dinah W. Y. Sah

Dinah W. Y. Sah